

Local Criminal Rule 3-1 - Provisions for Special Orders in Appropriate Cases

(a) On motion of any party or on its own motion, when the Court deems it necessary, to preserve decorum and to maintain the integrity of the trial, the Court may issue a special order governing such matters as extra-judicial statements by parties and witnesses likely to interfere with the rights of any party to a fair trial, the seating and conduct in the Courtroom of parties, attorneys and their staff, spectators and news media representatives, the management and sequestration of jurors and witnesses, and any other matters which the Court may deem appropriate for inclusion in such an order. Such special order may be addressed to some or all, but not limited to the following subjects:

(1) A proscription of extra-judicial statements by participants in the trial, including lawyers and their staff, parties, witnesses, jurors, and Court officials, which might divulge prejudicial matter not of public record in the case.

(2) Specific directives regarding the clearing of entrances to and hallways in the Courthouse and respecting the management of the jury and witnesses during the course of the trial to avoid their mingling with or being in the proximity of reporters, photographers, parties, lawyers, and others, both in entering and leaving the Courtroom and Courthouse, and during recesses in the trial.

(3) A specific direction that the jurors refrain from reading, listening to, or watching news reports concerning the case, and that they similarly refrain from discussing the case with anyone during the trial and from communicating with others in any manner during their deliberations.

(4) Sequestration of the jury on motion of any party or the Court, without disclosure of the identity of the movant.

(5) Direction that the names and addresses of the jurors or prospective jurors not be publicly released except as required by statute, and that no photograph be taken or sketch made of any juror within the environs of the Court.

(6) Insulation of witnesses from news interviews during the trial period.

(7) Specific provisions regarding the seating of parties, attorneys and their staff, spectators and representatives of the news media.

(b) Unless otherwise permitted by law and ordered by the Court, all preliminary criminal proceedings, including preliminary examinations and hearings on pretrial motions, shall be held in open Court and shall be available for attendance and observation by the public.

If the Court orders closure of a pretrial hearing pursuant to this Rule, it shall cite for the record its specific findings that compel the need for same.